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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 RONALD SANTOS,

11 Plaintiff,

12 v.

13 AWD ISIDRO BACA, *et al.*,

14 Defendants.
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Case No. 2:11-CV-1251-KJD-NJK

ORDER

16 Before the Court is Isidro Baca *et. al.*'s ("Defendants") Motion to Strike Plaintiff Ronald
17 Santos' Second Amended Complaint (#36). Plaintiff responded (#38) and Defendants replied (#39).

18 Previously, the Court granted Plaintiff's Motion to Amend (#30), but specifically delimited
19 the items which were to be amended (#35). Plaintiff then filed his Second Amended Complaint
20 (#36), which names additional parties to his surviving claims, alleges peripheral supporting facts and
21 contains marginal additional claims. These alterations were not authorized by the Court's prior
22 Order.

23 However, Rule 15(a)(2) counsels the Court to give parties leave to amend "freely" so long as
24 "justice requires." Fed. R. Civ. Pro. Accordingly, to facilitate the resolution of this matter, the Court
25 construes Plaintiff's Second Amended Complaint as incorporating a Motion to File a Third Amended
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1 Complaint. The Court has screened what is now Plaintiff's Third Amended Complaint (#36) under
2 the standards used in this Court's prior orders (##7, 15), and accepts this Complaint.

3 However, the Court notes that justice requires not only flexibility in amending complaints,
4 but also the timely resolution of pending legal matters. This Court has thus far indulged Plaintiff in
5 amending his complaint, which was originally filed more than two years ago. The parties are strongly
6 encouraged to move this matter towards resolution without delay.

7 Accordingly, Defendants' Motion to Strike Plaintiff Ronald Santos' Second Amended
8 Complaint (#36) is **HEREBY DENIED**. It is **FURTHER ORDERED** that Plaintiff's Second
9 Amended Complaint (#36) be re-titled as his Third Amended Complaint.

10 DATED this 22nd day of April 2014.

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Kent J. Dawson
United States District Judge